

**Senate File 2126 - Introduced**

SENATE FILE 2126

BY ROZENBOOM

**A BILL FOR**

1 An Act prohibiting the use of false or misleading caller  
2 identification information to certain persons, and making  
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 714.16, subsection 2, Code 2018, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *p.* (1) It is an unlawful practice for a  
4 person to knowingly use or provide false or misleading caller  
5 identification information to an Iowa telephone subscriber who  
6 is physically located in this state.

7 (2) This paragraph shall not apply to any of the following:

8 (a) Conduct authorized by a law enforcement agency of the  
9 United States, a state, or a political subdivision of a state.

10 (b) Conduct authorized pursuant to a court order.

11 (c) Conduct authorized under federal law.

12 (3) For purposes of this paragraph:

13 (a) "*Caller identification information*" means the same as  
14 defined in section 68A.506.

15 (b) "*Iowa telephone subscriber*" means a person who uses a  
16 telephone number with a three-digit telephone number prefix, or  
17 area code, assigned to the state of Iowa, in accordance with  
18 the North American numbering plan.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 This bill prohibits a person from knowingly using or  
23 providing false or misleading caller identification information  
24 to an Iowa telephone subscriber who is physically located in  
25 Iowa. The bill defines "caller identification information" to  
26 mean information regarding the origination of the telephone  
27 call, such as the name or telephone number of the caller. The  
28 bill defines "Iowa telephone subscriber" to mean a person who  
29 uses a telephone number with an area code assigned to Iowa,  
30 in accordance with the North American numbering plan. The  
31 bill does not apply to conduct authorized by a law enforcement  
32 agency, pursuant to a court order, or under federal law.

33 A violation of the bill constitutes an unlawful practice  
34 under Code section 714.16, which relates to consumer frauds.  
35 Pursuant to Code section 714.16, the attorney general may

1 investigate, issue subpoenas, and commence civil proceedings  
2 seeking restraining orders or injunctions prohibiting persons  
3 from engaging in unlawful practices or seeking termination  
4 of the business affairs of a person engaging in unlawful  
5 practices. In addition, a civil penalty of up to \$40,000 per  
6 violation may be imposed by a court against a person found to  
7 have committed an unlawful practice.